

FROM TREXLER ETAL.

(FRI) 1.14'05 16:32/ST. 16:32/NO. 4860347863 P 1

**RECEIVED  
TREXLER, BUSHNELL, GIANGIORGIO, BLACKSTONE & MARR, LTD. CENTRAL FAX CENTER  
COUNSELORS AT LAW  
THE CLARK ADAMS BUILDING**

**JAN 14 2005**

RICHARD R. TREXLER (1906-1995)  
RICHARD BUSHELL (1926-2001)  
RICHARD A. GIANGIORGIO  
RAIFORD A. BLACKSTONE, JR.  
DAVID J. MARR  
LINDA L. PALDMAR  
JAMES R. FOLEY  
JAMES A. O'MALLEY  
TIMOTHY M. McCARTHY  
PAIGE A. KITZINGER

105 WEST ADAMS STREET, SUITE 3600  
CHICAGO, ILLINOIS 60603-6299

(312) 704-1890

FOUNDED 1930

PATENT, TRADEMARK, COPYRIGHT  
AND RELATED MATTERS: ALL PHASES  
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023  
[www.trexlaw.com](http://www.trexlaw.com)

**FACSIMILE TRANSMISSION**

TOTAL PAGES (Including Cover Page) 4 DATE: January 14, 2005

Commissioner of Patents and Trademarks

TO: Attn: Examiner Joseph L. Perrin FROM: Raiford A. Blackstone, Jr., Reg. No. 25,156

FAX NO: (703) 872-9306 FAX NO: (312) 704-8023

*If you experience any difficulty with this transmission, please call (312) 704-1890 for assistance.*

**ORIGINAL COPY AND ENCLOSURES**

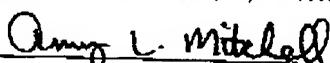
WILL BE SENT BY  MAIL  COURIER  
 WILL NOT BE SENT

**NOTES:**

Inventor: Neil Cheyne  
For: Laundry Machine  
Art Unit: 1746  
Serial No.: 10/692,044  
Filed: October 23, 2003  
Attorney Ref.: 1170/3938310/96D-DIV

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to fax number (703) 872-9306 on January 14, 2005.

  
Amy L. Mitchell

Amy L. Mitchell

**IMPORTANT NOTICE**

This transmission (including all attached pages) is intended only for the use of the named addressee(s), and may contain information that is privileged or exempt from disclosure under applicable law. **IF YOU ARE NOT A NAMED ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED.** If you have received this transmission in error, please destroy all copies and notify us immediately at this telephone number: (312) 704-1890.

PTO/SB/21 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

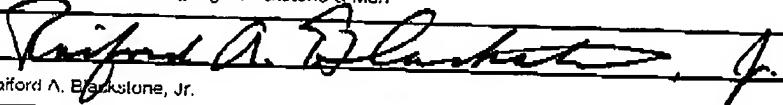
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission | 3

Application Number	10/602,044
Filing Date	October 23, 2003
First Named Inventor	Neil Chayne
Art Unit	1746
Examiner Name	Joseph L. Perrin
Attorney Docket Number	1770/39383D/96D-DIV

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks _____		

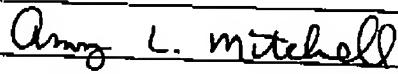
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Trexler, Bushnell, Gianginrgi, Blackstone & Mart		
Signature			
Printed name	Raiford A. Blackstone, Jr.		
Date	January 14, 2005	Reg. No.	25,156

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature



Typed or printed name

Amy L. Mitchell

Date | January 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including the amount of time you require to complete this form and/or suggestions for reducing this burden. Should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**PATENT**

Serial No.: 10/692,044 )  
Filed: October 23, 2003 )  
For: Laundry Machine )  
Inventor: Cheyne )  
Examiner: Joseph L. Pettin )  
Art Unit: 1746 )  
Atty. Ref.: 1170/39383D/96D-DIV )

<b>CERTIFICATION OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to fax number (703) 872-9306 on January 14, 2005.	
 Amy L. Mitchell	

**RECEIVED  
CENTRAL FAX CENTER  
JAN 14 2005**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of December 14, 2004 including a Restriction Requirement and having a shortened statutory period for response set to expire on January 14, 2005, Applicant elects Group II, claims 3 and 4, drawn to a direct current power supply with traverse.

The claims of Group I relate to a method for powering on and off a laundry washing machine. The claims of Group II relate to a direct current power supply for a washing appliance. The claims of Group I are closely related to the claims of Group II and are directed toward the same invention.

As recognized in *Ex parte Dryssen*, although method claims usually differ somewhat in scope from apparatus claims or at least they set forth the invention in different terms, it is a common practice of the Patent Office to allow method claims in the same application as the apparatus claims so long as the claims relate to the same subject matter of invention. 4 USPQ 338, 339 (Bd. Pat. App. 1930). Furthermore, as recognized in *Ex parte Pratt*, restriction is not required simply because the different claim sets have acquired separate status in the art. 46 USPQ 560, 561 (Bd. Pat. App. 1940). Finally, the Patent Office has held that the classification of patents and inventions is not for the purpose of establishing restriction requirements but for the purpose of searching. *Id.*

In view of the foregoing, Applicant respectfully requests that the requirement be withdrawn and all of the claims be examined.

If the Examiner has any questions regarding this Response to Restriction Requirement, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Date:

*Jan 14, 2005*

By:

*Raiford A. Blackstone, Jr.*

Raiford A. Blackstone, Jr. Reg. No. 25,156

Linda L. Palomar, Reg. No. 37,903

Paige A. Kitzinger Reg. No. 45,219

TREXLER, BUSHNELL, GIANGIORGI,

BLACKSTONE & MARR, LTD.

105 West Adams Street, 36<sup>th</sup> Floor

Chicago, Illinois 60603

Tel: (312) 704-1890

Fax: (312) 704-8023

753552